

REMARKS

It is respectfully submitted that the Examiner's interpretation of the new reference, U.S. Patent No. 6,934,689 to Ritter, is incorrect. At present, the claims require that the transaction details are sent to the input output device using the telecommunications network access instrument (TNAI), and that at least some of those details are held by the point of sale (POS) device. As previously observed, this requires some communication between the POS device and the TNAI, with the TNAI then communicating with the input output device over the telecommunications network.

In Ritter, the opposite of this situation occurs. The POS device swaps some details with the TNAI, but it is the POS device that communicates over the telecommunications network to communicate the transaction details. There is some communication both ways between the POS device and the TNAI, but that is only to share sufficient information in order to prepare a payment request that is transmitted over the contactless device interface. The payment request – the nearest equivalent to the transaction details claimed – is transmitted from the mobile device 1 (equivalent to the TNAI) to the payment terminal 2 (equivalent to the POS device), as depicted by arrow S3 in Fig. 1 and col. 7, lines 63-67. These details are then transmitted by the POS device (payment terminal) over telecommunications network 3 to a clearing point.

Note that nowhere in Ritter is it disclosed to use the mobile device 1 to transmit transaction details over the telecommunications network. Its teaching is to obtain payment data from the mobile device, but then to transmit that, if desired, using the payment terminal. Indeed, applicant notes that, in the Examiner's analysis of claims 48, 91 and 92, there is no mention of the feature that the transaction details are sent using the TNAI. It is a non-obvious and advantageous feature of the claimed invention to take some transaction details from the POS device, transmit them to the TNAI

and then use the TNAI to transmit the transaction details as a whole over the telecommunications network. Hultgren, also relied upon by the Examiner, transmits all of the transaction details from the TNAI, but does not take any transaction details from the POS device – they are entered manually. Accordingly, the references cited by the Examiner only show taking some transaction details from the TNAI and then using the POS device to transmit them, rather than taking some transaction details from the POS device and using the TNAI to transmit them as claimed. The cited references therefore do not render the claims obvious.

Petition is hereby made for a two-month extension of the period to respond to the outstanding Official Action to February 21, 2008. A check in the amount of \$460.00, as the Petition fee, is enclosed herewith. If there are any additional charges, or any overpayment, in connection with the filing of the amendment, the Commissioner is hereby authorized to charge any such deficiency, or credit any such overpayment, to Deposit Account No. 11-1145.

Wherefore, a favorable action is earnestly solicited.

Respectfully submitted,

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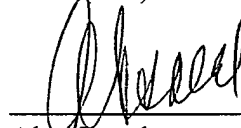
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